



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MORGAN ART FOUNDATION LIMITED,

Plaintiff,

-against-

MICHAEL MCKENZIE, et al.,

Defendants.

18-CV-4438 (AT) (BCM)

MORGAN ART FOUNDATION LIMITED, et al.,

Plaintiffs,

-against-

JAMES W. BRANNAN, *as personal
representative of the Estate of Robert Indiana,*

Defendant.

18-CV-8231 (AT) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

The Court has received and reviewed the Estate's letter-motion dated November 5, 2020 (Dkt. No. 367 in Case No. 18-CV-4438; Dkt. No. 157 in Case No. 18-CV-8231), filed jointly with the Morgan Art Parties and Jamie Thomas, requesting a 60-day stay in both actions in anticipation of a partial settlement in the *McKenzie* action (18-CV-4438) and a complete settlement in the *Brannan* action (18-CV-8231). The Court has also received and reviewed Michael McKenzie's letter dated November 6, 2020 (Dkt. No. 368 in Case No. 18-CV-4438), confirming his consent to the stay.

The joint request is GRANTED to the extent set forth below.

1. All discovery in both actions shall be STAYED through and including **January 6, 2021**.
2. The Morgan Art Parties' motion to dismiss the Estate's counterclaims as moot (Dkt. No. 344 in Case No. 18-CV-4438; Dkt. No. 134 in Case No. 18-CV-8231) is WITHDRAWN, at the Morgan Art Parties' request, without prejudice to renewal if the anticipated settlement is not completed. The related sealing motions (Dkt. Nos. 348 and 361 in Case No. 18-CV-4438; Dkt. Nos. 138 and 151 in Case No. 18-CV-8231) are similarly deemed WITHDRAWN, without prejudice to renewal if the motion to dismiss is renewed.

3. The Court will conduct a telephonic status conference on **January 7, 2021, at 10:00 a.m.** At that time, the parties shall call (888) 557-8511 and enter the access code 7746387. Prior to the conference, and no later than **January 5, 2021**, the remaining parties shall submit a joint letter advising the Court as to what discovery remains to be completed and proposing a schedule for completing it.

The Clerk of Court is respectfully directed to close the letter-motions at Dkt. Nos. 344, 348, 361, and 367 in Case No. 18-CV-4438, and Dkt. Nos. 134, 138, 151, and 157 in Case No. 18-CV-8231.

Dated: New York, New York
November 6, 2020

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Barbara Moses", is written over a horizontal line.

BARBARA MOSES
United States Magistrate Judge